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In re Application of:
MULLER, Horst :
U.S. Application No.: 10/536,964 :
PCT No.: PCT/DE2003/003418 :
International Filing Date: 13 October 2003 :
Priority Date: 14 October 2002 :
Attorney's Docket No.: 16011-005US1 :
For: EMULSIFIER-FREE MICROGEL :

DECISION ON PETITION FOR
REVIVAL OF ABANDONED
APPLICATION UNDER
37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 31 May 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire period of delay was unintentional" is construed as the statement required under 37 CFR 1.137(b)(3), that is, a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." Based on this interpretation, it is concluded that 37 CFR 1.137(b)(3) is satisfied. Applicant **must** contact this Office immediately if this is not a proper interpretation of applicant's statement.

Applicant has now submitted the small entity basic national fee, and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the national stage in the United States of America.

The 31 May 2005 submission included an executed declaration in compliance with 37 CFR 1.497 and an English translation of the international application. Deposit Account No. 06-1050 will be charged the small entity surcharge and the processing fee for filing the declaration and translation later than thirty months after the priority date.

The application is being returned to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 31 May 2005.

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